



DOCKET NO.: FMC-1213

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

JAN 27 2003

RECEIVED

In Re Application of:

Rolf Bjerkvig

Serial No.: 09/763,682

Filing Date: April 27, 2001

For: ALGINATE CAPSULES FOR USE IN THE TREATMENT OF BRAIN
TUMOR

Confirmation No.: 8676

Group Art Unit: 1635

Examiner: Jon E. Angell

EXPRESS MAIL LABEL NO: EL 926695208 US
DATE OF DEPOSIT: January 22, 2003

EL926695208US

Box ☒ NON-FEE
☐ AF

Assistant Commissioner for Patents
Washington DC 20231

Sir:

REPLY TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified patent application is:

- ☐ A Preliminary Amendment.
- ☒ An Amendment Responsive to the Office Action Dated October 22, 2002.
- ☐ An Amendment Supplemental to the Paper filed
- ☐ Other:
- ☐ Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as:
 - ☐ an Independent Inventor
 - ☐ a Small Business Concern

- ☐ a Nonprofit Organization
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the U.S. Patent and Trademark Office.
- ☐ Loss of Entitlement Enclosed
- ☐ Substitute Pages of the Specification are enclosed.
- ☐ An Abstract is enclosed.
- ☐ Sheets of Proposed Corrected Drawings are enclosed.
- ☐ A Certified Copy of each of the following applications: is enclosed.
- ☐ An Associate Power of Attorney is enclosed.
- ☐ Information Disclosure Statement.
- ☐ Attached Form 1449.
- ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☐ Appended Material as follows:
- ☒ Other Material as follows: copy of the 1449 form filed May 11, 2001 and a copy of the return postcard date stamped May 11, 2001.

FEE CALCULATION

☒ No Additional Fee is Due.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	15	20 (20 MINIMUM)	0	\$9 EACH	\$	\$18 EACH	\$0
INDEP. CLAIMS	3	3 (3 MINIMUM)	0	\$42 EACH	\$	\$84 EACH	\$0
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$140	\$	\$280	\$0
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$0
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$205	\$	\$410	\$0
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$465	\$	\$930	\$0
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$725	\$	\$1450	\$0
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$985	\$	\$1970	\$0
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$)	minus	(\$0)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$0
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE					\$		\$0

- ☐ A check in the amount of \$.00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account 23-3050.
- ☐ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4) to extend the time for response to the Office Action of _____ to and through _____ comprising an extension of the shortened statutory period of _____ month(s).
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is provided in duplicate.
- ☐ The foregoing amount due for filing this paper.
- ☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 CFR § 1.16.

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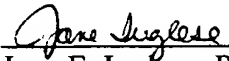
- 4 -

PATENT

☒ Any additional patent application processing fees under 37 CFR § 1.17 or 1.20(d).

SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the U.S. Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: January 22, 2003



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JAN 27 2003
TECH CENTER 1600/29

Commissioner for Patents
Washington, D.C. 20231

Date 5.11.01
Mo: Day Yr.

Atty. Docket 1702-401700

Application No. 09/763,682

Int'l Appln # PT/N099/

00266

Int'l Appln # NO

00/12066

Sir:

Kindly acknowledge receipt of the accompanying:

- ☐ Response to Official Action.
 - ☐ Check for \$ _____ (claims fee)
 - ☐ Petition under 37 CFR 1.136 and Check for \$ _____
 - ☐ Notice of Appeal and Check for \$ _____
 - ☒ Information Disclosure Statement, PTO-1449 and _____ documents
 - ☐ Claim for priority and certified copies of _____ priority applications
 - ☐ Issue fee transmittal and Check for \$ _____
 - ☒ Other (specify) Int'l search report, Norwegian Search report
- by placing your receiving date stamp hereon and mailing or returning to deliverer.

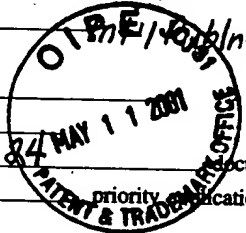
Atty. JWB/NMD/AMV

Due Date N.D.D
Mo: Day Yr.

37 CFR 1.8 ☐

37 CFR 1.10 ☐

By Hand ☒



FOIS-8-00